

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
	)	
<b>Pacific Wireless Technologies, Inc.</b>	)	<b>CC Docket No. 94-102</b>
<b>Request for Waiver of Rule 20.18</b>	)	
	)	

**Directed to: Chief, Wireless Telecommunications Bureau**

**SUPPLEMENT TO REQUEST FOR TEMPORARY WAIVER**

Pacific Wireless Technologies, Inc. ("Pacific"), by its attorneys and pursuant to the provisions of section 1.41 of the rules and regulations of the Federal Communications Commission ("FCC" or "Commission), 47 C.F.R. § 1.41 (1999), hereby supplements its request for a temporary waiver ("Request") of the provisions of section 20.18(e) of the FCC's rules (the "Rule"), submitted to the Commission on August 8, 2001.<sup>1/</sup> As set forth more fully below, there have been two developments since Pacific submitted its Request that further support Pacific's claim that it would serve the public interest to grant Pacific a temporary waiver of the Rule.

As explained in Pacific's Request, in July 2001, Pacific and Nextel sought FCC consent for a transaction by which Nextel would acquire most of the FCC-licensed assets of Pacific, including all of the assets which implicate the Rule. Request at 2. At the time of the Request, that transaction was pending FCC approval. The FCC recently consented to that transaction. See Memorandum Opinion and Order, DA 01-2685, rel. Nov. 16, 2001. Because Nextel and

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<sup>1/</sup> On October 12, 2001, the FCC released a *Public Notice* (FCC 01-302) that established a schedule for small and medium-sized wireless carriers to request waivers of the Rule. Pacific already submitted such a request on August 8, 2001. In light of the circumstances described in

Pacific will likely complete their FCC-approved transaction by mid-December 2001, Pacific will not be subject to the Rule by the time the Commission resolves the Request. This underscores the temporary nature of the Request.

The issuance of a waiver covering the time period from October 1, 2001, until the time Pacific's transaction with Nextel closes will serve the public interest. As noted in the Request, because there are almost no carriers offering E911 services in conformance with the Rule today, Pacific's customers will not receive degraded emergency calling services during this temporary period. Request at 5, n. 7. In fact, Pacific's customers will become Nextel's customers upon completion of the transaction. The Commission recently granted Nextel's request for waiver of the Rule. See Wireless E911 Phase II Implementation Plan of Nextel Communications, Inc., Order, FCC 01-295, rel. Oct. 12, 2001. Accordingly, because Nextel has already received a waiver of the Rule, and Nextel's iDEN wireless system is nearly identical to the iDEN wireless system it is acquiring from Pacific, there is no reason to deny the Request.

**WHEREFORE, THE FOREGOING PREMISES CONSIDERED,** Pacific reiterates its request that the FCC temporarily waive the provisions of section 20.18(e) of its regulations.

Respectfully submitted,

**PACIFIC WIRELESS TECHNOLOGIES, INC.**

/s/

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this Supplement, Pacific takes the opportunity of the deadline established in the *Public Notice* to make the record with respect to its Request as current as possible.